United Nations S 2010/175

Security Council

Distr.: General
6 April 2010

Original: English

Report of the Secretary-General on the situation concerning Western Sahara

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1871 (2009) of 30 April 2009, by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2010 and requested me to provide a report on the situation before that date. The present report covers developments since the issuance of my previous report dated 13 April 2009 (S/2009/200).

II. Recent developments in Western Sahara

2. The Territory remained largely calm during the period under review. King Mohammed VI of Morocco made a speech on the occasion of the thirty-fourth anniversary of the "Green March", on 6 November, in which he proposed a five-point plan towards "regionalization", to be focused initially on the part of Western Sahara controlled by Morocco. He reaffirmed the commitment of the Kingdom to its autonomy proposal as presented in the negotiations being held under the auspices of the United Nations. In a letter dated 9 November addressed to me, the Secretary-General of the Frente Popular para la Liberación de Saguia el-Hamra y Río de Oro (Frente Polisario), Mohamed Abdelaziz, referring to the speech made by the King of Morocco, reiterated his position that the Saharan people should decide their future by means of a free referendum.

3. The Frente Polisario commemorated the thirty-fourth anniversary of the "Sahrawi Arab Democratic Republic" from 26 to 28 February. Celebrations took place in various locations in the Territory (east of the berm, controlled by the Frente Polisario) and in the Tindouf, Algeria, refugee camps. About 500 people gathered in Bir Lahlou, in the north-eastern part of the Territory, for the main ceremony. The same week, the Frente Polisario "National Council" put forward the "exercise of sovereignty of the Sahrawi State, the repopulation of the liberated territories, the strengthening of the Sahrawi People's Liberation Army and support for the independence intifada in the occupied territories of Western Sahara" as its priorities for 2010. In May, the Frente Polisario launched its new television channel.

4. Approximately 600 people participated in the "Thousand-person march", a demonstration organized on 10 April by the Frente Polisario and non-governmental

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organizations sympathetic to its cause. During the demonstration, a 19-year-old Saharan stepped on an anti-personnel landmine east of the berm and lost a foot as he and several other young men protested close to the mined berm. The Frente Polisario urged me, in a letter dated 12 April, to obtain the demolition of the berm for humanitarian reasons.

5. Two incidents that occurred in May affected United Nations premises in the Mission area. On 23 May, a Saharan woman declared a hunger strike inside a small compound of the Office of the United Nations High Commissioner for Refugees (UNHCR) within the Tindouf refugee camps. After a few days, local elders persuaded her to desist, and she left the compound. Meanwhile, in an apparently unrelated action, three Saharan men entered team site Smara (west of the berm) uninvited on 25 May and displayed banners with demands relating to Saharan political prisoners. MINURSO officials persuaded them to leave quietly the same evening.

6. On 30 November, the Frente Polisario informed MINURSO that Mauritania was conducting air reconnaissance operations near Agwanit, in the south-eastern part of the Territory controlled by the Frente Polisario, in pursuit of an unidentified group that had reportedly abducted three Spanish nationals in Mauritania. MINURSO suspended all ground patrols east of the berm and instructed all team sites in that area to seal their entrances. On the basis of information provided by the Frente Polisario to the effect that the criminal group was not present in Western Sahara but was reported to be near Mali, MINURSO resumed its normal patrolling activities east of the berm on 8 December.

7. On 14 November, the Moroccan authorities detained prominent Saharan activist Aminatou Haidar at Laayoune airport as she returned from a trip to the United States of America. She was subsequently expelled to Spain's Canary Islands nearby. The case of Ms. Haidar was resolved after a 32-day hunger strike, when she was allowed to return to her family in Laayoune (see para. 64 below).

8. During Ms. Haidar's hunger strike, increased tension was noted in the Tindouf camps. On 11 December, a group of young Saharan men penetrated the small UNHCR compound, caused minor material damage and briefly raised the "Sahrawi Arab Democratic Republic" flag in place of UNHCR's. The group was later persuaded to remove its flag and leave the compound peacefully. Following the incident, and at the request of MINURSO and other United Nations agencies operating in the area, the Frente Polisario temporarily posted security guards at the UNHCR compound until tension subsided.

III. Activities of my Personal Envoy

A. Contacts with the parties and the first informal meeting

9. In March 2009, my Personal Envoy, Mr. Christopher Ross, began consultations in New York on the holding of one or more informal meetings of the parties and neighbouring States to prepare for a fifth round of negotiations, and the Security Council, in its resolution 1871 (2009), welcomed that approach.

10. The results of those consultations required him to travel to the region for a second time, from 22 June to 1 July, to clarify the purpose and structure of the

informal meetings and to confirm the readiness to attend of the parties and neighbouring States. During his trip, Mr. Ross met with the President of Algeria, Abdelaziz Bouteflika; the Secretary-General of the Frente Polisario, Mr. Abdelaziz; the Prime Minister, Yahya Ould Ahmed El Waghef, and the Minister for Foreign Affairs, Mohamed Mahmoud Ould Mohamedou, of Mauritania; and the Minister for Foreign Affairs of Morocco, Taïb Fassi-Fihri, as well as with members of their respective teams. All interlocutors reaffirmed their commitment to continue working with the United Nations to find a solution, and an agreement was reached on a first informal meeting, for which the Government of Austria generously offered a venue. During and after that trip, my Personal Envoy also consulted with senior officials in France, Spain and the United States of America.

11. The first informal meeting was held in Dürnstein, Austria, on 9 and 10 August, and achieved its principal objective of re-establishing the atmosphere of mutual respect and dialogue that had reigned at the beginning of the negotiations in Manhasset, but had collapsed in the course of successive rounds. The parties engaged with one another in a respectful manner and in a spirit of extensive give and take, discussing confidence-building measures and human rights issues as a prelude to a later examination of the core issues of their dispute. They concurred that a long-standing agreement in principle to explore the road option in the context of an expansion of family visits between Western Sahara and the refugee camps should be implemented, and they agreed to consider in a positive spirit confidence-building measures that the High Commissioner for Refugees had proposed and others that my Personal Envoy might put forth.

12. With regard to human rights issues, the parties exchanged accusations of violations, and each complained about how the other approached such matters. The Frente Polisario called for a United Nations monitoring mechanism, and Morocco expressed its opposition. My Personal Envoy proposed that, to avoid poisoning the atmosphere, the parties communicate their concerns on this issue through him instead of by means of public communications. Despite apparent agreement on that procedure, public accusations continued thereafter. Before the meeting ended, the parties also engaged in a preliminary discussion of core substantive issues but continued to disagree, in particular on the requirements of self-determination.

13. Observer delegations from Algeria and Mauritania were present in Dürnstein. Of note was the fact that, for the first time since 2004, Algeria participated in the process at the ministerial level. The delegation of Algeria stated that, as an observer delegation, it could not participate directly in the talks but was ready to work with the parties on anything to which they agreed as regards confidence-building measures and human rights issues.

B. Further contacts with the parties and renewed tension

14. After the Dürnstein meeting, my Personal Envoy consulted regularly with the parties and determined that progress on the core substantive issues was most likely to emerge at a further informal meeting rather than at an immediate fifth round of formal negotiations. In September, in the course of the sixty-fourth session of the General Assembly, I met separately with President Bouteflika of Algeria and the Minister for Foreign Affairs of Morocco, Mr. Fassi-Fihri, and both expressed their continued commitment to the negotiating process and their support for the efforts of

my Personal Envoy. Further consultations with the parties opened the way to serious engagement with respect to their proposals of April 2007. On that basis, my Personal Envoy proposed that a second informal meeting be held on 21 and 22 November or on 4 and 5 December 2009.

15. However, beginning in October, a series of events made it increasingly impossible to meet on the proposed dates. Each party engaged in actions that the other deemed provocative and destructive of the positive atmosphere that had emerged in Dürnstein, and each questioned the good faith of the other. As those events unfolded, my Personal Envoy, as did a number of other international actors, found himself operating in crisis-management mode to prevent the situation from deteriorating any further.

C. Second informal meeting

16. By January 2010, the climate had improved, and my Personal Envoy was able to hold a second informal meeting in Westchester County, New York, on 10 and 11 February. As the meeting started, each party was provided the opportunity to make an opening statement. Most of the ensuing exchanges concerned human rights and related issues, and both parties complained of violations. Again, the Frente Polisario called for United Nations monitoring, and again Morocco stated its opposition. It also asserted that, by refraining from exercising their responsibility with respect to the refugees on Algerian territory, Algeria and UNHCR were not fulfilling their international obligations.

17. During the rest of the talks, each party again presented its proposal of April 2007 and, to varying degrees, engaged with regard to the proposal of the other. Although the exchanges were frank and respectful, at the end of the meeting both parties agreed with my Personal Envoy's summary that neither party had accepted the proposal of the other as the sole basis of future negotiations. It was clear to my Personal Envoy that the fundamental and, to date, non-negotiable difference between the two parties lies in the issue of self-determination. The Frente Polisario, with the support of Algeria, insists on a referendum with multiple options, including independence, while Morocco insists on a negotiated autonomy regime and a referendum of confirmation with one option.

18. As in Dürnstein, observer delegations from Algeria and Mauritania were present but did not participate directly in the talks. Algeria reiterated its support for anything to which the parties might agree and undertook to look into the reasons for the delay in opening telephone communication between Western Sahara and the most remote refugee camp, Dakhla, as foreseen in the confidence-building measures agreed earlier.

D. Next steps

19. During the informal talks, both parties reiterated their commitment to continuing negotiations as soon as possible. My Personal Envoy visited the region in March 2010 to solicit the parties' ideas on how to move beyond the present impasse, bearing in mind that neither party is prepared to accept the proposal of the other as written and that no mechanism exists to oblige the parties to agree to either proposal for resolving the dispute.

20. From the outset, my Personal Envoy has kept the Security Council and the Group of Friends fully informed of his activities through written communications and informal and formal briefings, the latest of which took place on 18 February 2010. His efforts to promote a settlement have been laborious. Their pace and substance have been heavily affected by the parties' reaction to events in the region and their unyielding attachment to mutually exclusive positions. Nonetheless, he continues to make intensive efforts to promote a mutually acceptable political solution that will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations. Such a solution is a prerequisite for the return of the refugees to their homes and the reinforcement of stability, development and integration in the region.

IV. Activities on the ground

A. Military

21. As at 20 March 2010, the military component of MINURSO stood at 223 personnel, including administrative personnel and medical unit officers, against the authorized strength of 230. MINURSO currently has five women military observers, from El Salvador, France, Ghana and Mongolia. There are also five women officers, including two doctors and three nurses, in the Malaysian medical unit. I would welcome further deployments of women officers by troop-contributing countries, both for operational reasons and to improve the Mission's gender balance. During the period under review, the average number of French-, Spanish- and Arabic-speaking military observers saw a substantial increase, from 14 to 19, from 25 to 28 and from 17 to 32, respectively.

22. In addition to the nine team sites and the Tindouf liaison office, two military observers have been deployed temporarily as liaison officers with the Royal Moroccan Army in Dakhla since 19 October. That deployment took place with a view to establishing a liaison platform between MINURSO and the sector command headquarters of the Royal Moroccan Army, following the 2005 closure of the MINURSO southern sector headquarters. This temporary arrangement is to be evaluated in July 2010 before a decision is made as to its prolongation.

23. During the period from 1 April 2009 to 20 March 2010, MINURSO performed 8,433 ground patrols and 578 aerial patrols (including air reconnaissance) to visit and monitor units of the Royal Moroccan Army and the military forces of the Frente Polisario and to monitor adherence to the military agreements. During that period, the Mission continued to make extensive use of helicopter patrols as an effective monitoring method, in combination with day and night ground patrolling.

24. MINURSO continues to enjoy good relations with the Royal Moroccan Army and the Frente Polisario military forces. However, both sides continued to abstain from dealing directly with each other. All known contact between the two armed forces continued to take the form of written communications through MINURSO. The Mission has proposed the creation of a joint military verification mechanism to discuss allegations of violations of military agreement No. 1 and other issues of common interest.

25. MINURSO observed and recorded 24 new violations by the Royal Moroccan Army, an increase compared with the 11 recorded during the previous reporting period. Violations by the Royal Moroccan Army included the construction of new buildings and living accommodations in the Haouza, Mahbas, Awsard and Tichla areas without prior approval by MINURSO. The movement of troops and military assets on four separate occasions in October and December 2009 without prior notification of MINURSO also constitute violations of military agreement No. 1. Finally, the tactical reinforcement of the Royal Moroccan Army through the construction of a new airfield in the restricted area; the building of supportive stone walls along the berm, in two cases raising the height of the berm; the introduction of multi-purpose wheeled Atlas vehicles in three areas; and the replacement of a number of light tanks by heavier, longer-range ones (M-48) also contravene military agreement No. 1. In addition, the Royal Moroccan Army installed three new radar towers despite written notification by MINURSO that this would constitute a violation (see para. 28 below).

26. The Royal Moroccan Army has told MINURSO that certain violations are related to the enhancement of security in order to combat potential terrorist activities, as well as smuggling and trafficking, which have increased in the Sahel region.

27. MINURSO observed a total of five new violations by the Frente Polisario military force, a slight decrease compared to the seven recorded during the previous reporting period, in 2008-2009. Those violations were related mainly to the incursion of military elements, including some equipment, into the buffer strip.

28. There has been no change in the status of long-standing violations by both parties since my previous report. On 20 January, the Royal Moroccan Army sent a letter to the Force Commander regarding the proposed construction of three new, heightened towers for surveillance radar in the restricted area near Bir Gandouz. MINURSO rejected the request and reminded the Royal Moroccan Army that ground radar equipment deployed in the restricted area has been considered a "longstanding violation" since 2005. MINURSO insisted that the Royal Moroccan Army undertake all necessary corrective measures with respect to these violations.

29. During the period under review, the Royal Moroccan Army raised 20 allegations of violations of military agreement No. 1 against the Frente Polisario military forces, which, in turn, raised 10 allegations against the Moroccan forces. All allegations were communicated in writing to both parties by MINURSO.

30. Most of the allegations by the Royal Moroccan Army related to the buffer strip, specifically alleged incursions by Frente Polisario soldiers, movement of vehicles with uniformed personnel, construction of shelters and sounds of explosions inside the buffer strip. After investigation by MINURSO, none of the allegations by the Royal Moroccan Army could be confirmed owing to lack of evidence. Frente Polisario allegations against the Royal Moroccan Army related to the construction of a barbed-wire fence in the buffer strip, the construction of an airfield and a warehouse in the restricted area, the raising of the height of the berm, the digging of new anti-tank trenches, sounds of tank movements and explosions, reconnaissance overflights by unmanned aerial vehicles and the improving and reinforcing of the berm by mechanical means. After investigation by MINURSO, four Frente Polisario allegations were confirmed as violations: the placement of a 200-metre barbed-wire fence in the buffer strip, the construction of an airfield in the

restricted area, and the raising of the height of the berm through the construction of a new stone wall. Other allegations could not be confirmed owing to lack of evidence. Allegations of reconnaissance overflights by unmanned aerial vehicles could not be confirmed owing to the Mission's lack of technical capability.

31. Over the past year, restrictions on the freedom of movement of MINURSO military observers by both parties, in particular by the Royal Moroccan Army, decreased substantially. Only one freedom-of-movement violation was committed by the Royal Moroccan Army, on 22 September, when military observers from team site Smara were prevented from visiting the headquarters of the 4th garrison. No freedom-of-movement violations were committed by Frente Polisario forces, as compared with 75 such violations by the Royal Moroccan Army and two such violations by the Frente Polisario in the previous year. Since October 2009, MINURSO has not recorded any restriction on freedom of movement by the parties.

32. MINURSO received 276 requests from the Royal Moroccan Army regarding the construction of buildings and facilities used by military personnel and the maintenance and destruction of mines and explosive remnants of war. The Frente Polisario sent two construction requests during the period under review. All requests are reviewed by MINURSO.

33. During the period under review, MINURSO received 309 notifications from the Royal Moroccan Army concerning firing and tactical training exercises, movement of troops, equipment and tanks, VIP and maintenance flights, and the destruction of mines and explosive remnants of war. MINURSO received 16 notifications from the Frente Polisario forces regarding training and firing, exercises and visits. All the activities of which the Mission was notified during the period were monitored by MINURSO.

34. MINURSO continued to produce locust-monitoring reports, compiled by the team sites on a monthly basis. A total of 16 reports were sent to the Food and Agriculture Organization of the United Nations for global monitoring purposes during the period under review.

B. Mine action

35. The widespread presence of landmines and explosive remnants of war throughout Western Sahara, including in areas where MINURSO military observers and logistical vehicles operate on a daily basis, continues to be a cause for serious concern. In response to this threat, the MINURSO Mine Action Coordination Centre continued its efforts to develop and increase collaboration with the parties in accordance with military agreements Nos. 2 and 3. Coordinated efforts aimed at eradicating the threat of landmines and explosive remnants of war have become more effective owing to the establishment of a substantiated database that more accurately reflects the currently known contamination of Western Sahara.

36. During the reporting period, the Mine Action Coordination Centre provided advice and assistance to the Royal Moroccan Army and to Landmine Action the international non-governmental organization contracted by the United Nations, on the Information Management System for Mine Action database. This has permitted coordination and technical assistance for the capturing and management of the data

and has allowed for better planning, resulting in the improved productivity and increased cost-effectiveness of clearance operations.

37. For the period from January to December 2009, Landmine Action cleared 2.9 million square metres of land of cluster munitions and unexploded ordnance. The Landmine Action programme has also made noteworthy strides in the promotion of gender mainstreaming in its operations and contributes to the implementation of Security Council resolution 1325 (2000). In that regard, Landmine Action has four Saharan women staff members trained and integrated into the field-based battle area clearance teams, as well as others throughout its field headquarters operations.

38. During the reporting period, mine action operations west of the berm by the Royal Moroccan Army, and east of the berm by Landmine Action, resulted in a substantial number of landmines and unexploded ordnance being destroyed, specifically 3,304 anti-tank mines, 407 anti-personnel mines and 12,952 items of unexploded ordnance and abandoned munitions.

39. In order to further enhance the safety of personnel and operations, MINURSO put in place an awareness-raising training programme aimed at establishing and promoting a safer working environment for United Nations personnel conducting operations in areas where landmines and explosive remnants of war pose a threat to their activities. That was achieved through the regular dissemination of new data relating to suspected hazardous areas, more systematic and intensive safety training, and maintenance of the capacity of the previously established emergency response team to assist with mine accidents east of the berm. As part of the programme, briefings on mine and explosive remnants of war safety were provided to 279 people, including 35 women; of the total, 251 were military and 28 were civilian staff.

40. In that regard, 15 mine accidents, resulting in two fatalities and 23 persons injured, were reported in 2009. While the overall accident figure represents a slight decrease from the 18 such accidents in 2008, the total number of victims has increased by three. The accidents were reported by a variety of sources, but mainly through military observers operating within their respective areas; it was possible, therefore, to verify all accidents. In the part of the Territory controlled by Morocco, 10 accidents were recorded, two fewer than in 2008. The number of accidents reported in the part of the Territory controlled by the Frente Polisario also reflected a slight decrease, from six in 2008 to five in 2009.

41. One of the accidents recorded west of the berm involved four United Nations military observers who were patrolling in close proximity to the berm, in an area controlled by Morocco, near a strongpoint of the Royal Moroccan Army, in the area of responsibility of MINURSO team site Oum Dreyga. One of the patrol vehicles detonated a landmine during a daytime patrol. Although the vehicle was damaged beyond economical repair, just one of the four United Nations military observers was injured, and only slightly. The accident represents the fourth mine accident that the Mission has experienced since its establishment in 1991. The fatalities and injuries reported highlight the continuing threat to life posed by mines and explosive remnants of war, in particular with respect to the nomadic population, and to peace and security within the Territory.

C. Persons unaccounted for in the conflict

42. The International Committee of the Red Cross continued to work with the parties and families concerned in pursuing the question of persons still unaccounted for in relation to the conflict.

D. Assistance to Western Saharan refugees

43. On 8 September, the United Nations High Commissioner for Refugees, Mr. António Guterres, made a five-day visit to Algeria, Morocco and Western Sahara. In Algeria, he visited refugees from Western Sahara in the camps near Tindouf to witness first-hand that long-standing situation and to assess the overall condition of the refugees, including through conversations with them and their leaders. This was the first time since 1976 that a High Commissioner for Refugees had visited the camps. The trip, which took place during the month of Ramadan, was also intended as a strong demonstration of solidarity with the populations of the region. The High Commissioner's visit paved the way for a reorientation of the assistance programme in the camps through an increase in the level of assistance and an enhanced its focus on the long-term welfare of the refugees, with special attention to the areas of nutrition, health and education.

44. The High Commissioner also met with senior Government officials in both Rabat and Algiers to discuss substantive issues pertaining to the Western Saharan refugees in the camps. In those meetings, he emphasized the exclusively humanitarian nature of the UNHCR mandate. For their part, senior officials in both capitals reiterated to the High Commissioner their Governments' full cooperation with and support for UNHCR. The Moroccan authorities also emphasized the need to find a durable solution for the refugees. The High Commissioner urged the donor community in both countries to continue to support the Western Saharan refugee population.

45. UNHCR and the World Food Programme (WFP) continued to provide assistance to the Western Saharan refugees in the camps near Tindouf, in partnership with the World Health Organization, the European Commission Humanitarian Office, the Spanish Agency for International Cooperation for Development and several international and local non-governmental organizations.

46. The High Commissioner discussed the issue of refugee registration with the authorities of both countries. Accurate statistics on the number of refugees in the Tindouf camps are not available. The Frente Polisario and the host Government estimate the number of refugees at 165,000. In the absence of registration, the UNHCR assistance programme is targeting the 90,000 most vulnerable persons among the refugee population. An additional 35,000 food rations are provided within the framework of WFP general food-distribution programmes, in an attempt to respond to pressing nutritional needs.

47. WFP continued to provide 125,000 monthly general feeding rations to the most vulnerable Western Saharan refugees, in addition to a school feeding programme and supplementary feeding support for malnourished children under 5 years of age, and for pregnant women and nursing mothers. Overall, in 2009 WFP distributed a total of 26,953 tons of food. UNHCR also provided complementary food, including 65.5 tons of tea and 27 tons of yeast, and conducted joint food monitoring with WFP

for the general food basket distribution. Finally, during the month of Ramadan, UNHCR provided 676 additional tons of fresh food. Furthermore, in 2009 UNHCR made considerable progress in combating the high levels of anaemia afflicting the refugee population, and laid the foundation for a comprehensive child health and nutrition programme and implementation strategy with all partners. A feasibility study confirmed the acceptability of the supplementary foods to the refugee population, which, in turn, allowed for the subsequent procurement of the products. Finally, WFP was successful in ensuring that the basic food basket was diversified to better meet the nutritional needs of the refugee population.

48. A UNHCR/WFP joint assessment mission carried out in September 2009 noted the considerable progress that had been achieved in the areas of food distribution, related monitoring and improved coordination between all the relevant actors, while at the same time confirming the need for continued food assistance. The joint assessment mission made useful nutritional recommendations that WFP will try to implement in its future projects, including the fortification and diversification of all commodities whenever possible.

49. Through its implementing partners, UNHCR continued to give utmost consideration to the issues of water and sanitation in the camps through the construction of water networks. European Commission Humanitarian Office and UNHCR funds have made possible the installation of water pipelines in three sectors in Smara camp, benefiting some 34,000 refugees. Camps Dakhla and Awsard have already benefited from such pipelines, which reduce the use of water tankers.

50. UNHCR continued to support the education sector through the provision of 53,270 schoolbooks and 180,325 textbooks. Three secondary schools, of a total of seven, were also equipped with new laboratories. UNHCR provided incentives to all teachers at Dakhla and Smara camps and at the 12 October boarding school, on the way to Dakhla camp (552 teachers of a total of 2,133 education staff). Support for vocational training continued, with a particular focus on women, young people and handicapped persons. UNHCR also supported legal training as well as the conduct of seminars for lawyers and judges, and the refurbishment of administrative premises in the 27 February camp.

51. UNHCR, through its implementing partners, continued to support medical facilities in the camps through the provision of equipment and training to nurses and midwives.

E. Confidence-building measures

52. Since 2004, UNHCR has been facilitating contact and communication between Western Saharan refugees in the camps near Tindouf and their families in the Territory through the exchange of family visits and the provision of free telephone services. UNHCR continued to implement its programme of confidence-building measures as a strictly humanitarian programme, in close cooperation with the Frente Polisario, and Morocco as well as Algeria, as the host country to the Saharan refugees.

53. UNHCR continued to provide free telephone services for refugees in the camps to contact family members in the Territory. During the reporting period, between April 2009 and March 2010 refugees placed 20,362 calls to relatives in the

Territory. Since the service was launched in June 2004, refugees have placed 127,162 telephone calls, of which 55 per cent were placed by women. UNHCR has continued to work towards establishing a telephone centre in the Dakhla refugee camp, and plans in 2010 to improve the telephone centres and add Internet service.

54. Exchanges of family visits continued, thanks to the efforts of UNHCR and MINURSO and generally good cooperation by the parties concerned. Between April 2009 and March 2010, 37 round-trip family visits were conducted during which 1,137 beneficiaries travelled to the Tindouf camps and 1,188 beneficiaries travelled to cities in the Territory west of the berm. UNHCR is taking steps, in concert with the parties, to ensure that further visits can proceed as planned. A total of 41,237 Saharans are currently registered to participate in the family visits. Since the programme began in March 2004, 10,182 people (24 per cent of those registered), mostly women, children and elderly persons, have participated in the family visits.

55. In order to shorten the waiting period for persons registered for family visits, and in line with Security Council resolutions 1813 (2008) and 1871 (2009), UNHCR is continuing its efforts to implement the road option as an expansion of the family visits.

56. In the course of his visit to the region, the United Nations High Commissioner for Refugees obtained the verbal agreement of the parties to expand the current confidence-building measure by land, using the most direct route from Tindouf to Smara and Laayoune. The addition of travel by road to the ongoing use of air travel would benefit around 4,400 Saharans annually, compared with the current 2,218 beneficiaries. Other components of the proposed expansion include organizing family visits around special events such as weddings, and a summer camp for young people and children. Tentative plans have been made for an evaluation of the current programme with the parties in Geneva in April 2010.

57. For the implementation of the confidence-building measures programme, MINURSO continued to provide, on a reimbursable basis, logistical, security and administrative support to UNHCR, including aircraft and ground transportation, as well as a member of the MINURSO Malaysian medical unit to accompany each flight. The United Nations police is also a key component of the assistance provided by MINURSO in the context of the confidence-building measures programme. As at 31 March, the police component of MINURSO stood at six personnel, including three women officers. United Nations police officers observed airport procedures at arrival and departure points; distributed and retrieved travel documents to and from beneficiaries while on board United Nations flights; accompanied UNHCR staff, escorted beneficiaries and responded to emergencies and/or requests for assistance during visits. If the parties agree on the envisaged expansion of the programme, either through an increased number of flights or by the opening of a land route, the authorized strength of the MINURSO police component would need to be increased as appropriate.

F. Irregular migrants

58. Since my previous report to the Council, one irregular migrant remained in the Territory under the care of the Frente Polisario in the locality of Bir Lahlou. The migrant, a Nigerian, finally agreed to be voluntarily repatriated to his country of

origin, and his case was submitted to the International Organization for Migration in February.

G. Human rights

59. The United Nations has no staff on the ground to address human rights issues, since MINURSO does not have a specific human rights mandate and the Office of the United Nations High Commissioner for Human Rights has no presence in the Territory or in the refugee camps in Tindouf. Nonetheless, the United Nations recognizes its duty to uphold human rights standards in all its operations, including those relating to Western Sahara. Both parties to the conflict often accuse each other, in communications with the United Nations or in the media, of human rights violations.

60. During the period under review, the Secretary-General of the Frente Polisario wrote to me on a number of occasions mainly to express concern about alleged violations of human rights affecting Saharans both in the Territory and within Morocco. All letters were registered and forwarded to the United Nations High Commissioner for Human Rights. The Moroccan authorities and media continued to assert that the Frente Polisario was raising the issue of human rights in an attempt to deviate from the core issues related to the negotiations. On several occasions, Minister for Foreign Affairs of Morocco also conveyed his concern at the humanitarian situation of Saharans in the Tindouf refugee camps and the responsibility of Algeria and UNHCR in that regard.

61. In August, six young Saharans were reportedly stopped at the Agadir airport and prevented by the Moroccan authorities from travelling to the United Kingdom of Great Britain and Northern Ireland, where they had been invited by a United Kingdom-based non-governmental organization to participate in a conference with students from Morocco, the Tindouf camps and several European countries.

62. In October, a group of well-known Saharan activists who had travelled to the Tindouf camps in a highly publicized visit were arrested on their return and later charged with treason by a military tribunal. The only woman in the group was released from prison on 28 January because of health concerns. The Frente Polisario wrote to me on several occasions asking me to ensure the safety and security of Saharans and to enable their release from Moroccan jails.

63. In the case of the detention of Ms. Haidar, a resident of Laayoune and prominent human rights activist, on 14 November (see para. 7), the Moroccan authorities stated that she had refused to indicate Moroccan nationality on her immigration form. They withdrew her Moroccan passport and expelled her to Spain's Canary Islands nearby. Ms. Haidar began a hunger strike at Lanzarote airport, demanding to return to her home and family in Laayoune. The situation drew the attention of the international news media. Eventually her hunger strike prompted reactions from high Government officials of several countries, including France, Spain and the United States. I shared my concern about her health and the rising tensions with the Minister for Foreign Affairs of Spain, Miguel Ángel Moratinos Cuyaubé, and with the Minister for Foreign Affairs of Morocco, Mr. Fassi-Fihri, with whom I met to urge Morocco to resolve this situation. After 32 days, Ms. Haidar suspended her hunger strike upon being allowed by Morocco to return to Laayoune. Another concern was also addressed when the Government of

Morocco agreed in February to return the passports of a number of Saharan activists which had been seized or had expired without renewal.

H. Administration of the Mission and security measures

64. Since my previous report, security-related efforts aimed at bringing the Mission into compliance with the United Nations minimum operating standards has been progressing, both at the team sites and at Mission headquarters. Completion of the work is scheduled for 30 June 2010.

65. Facility and infrastructural improvements at MINURSO team sites are ongoing, with a planned completion date of 30 June 2011. The replacement of the soft-wall structures currently used as accommodation is ongoing; hard-wall structures are now the norm at team sites Awsard, Oum Dreyga, Mahbas and Bir Lahlou. Team sites Smara and Tifariti will be finished by 30 June 2010. The two remaining team sites, Agwanit and Mehaires, will be completed by 30 June 2011. Water-treatment plants have been installed at team sites Mahbas and Bir Lahlou. Team sites Smara and Tifariti will be similarly equipped by 30 June 2010. Mission headquarters in Laayoune also has a water-treatment plant. Since my previous report, the Mission's efforts to rehabilitate desert airfields at team sites west of the berm is still ongoing, thanks to the assistance of the Royal Moroccan Army; two runways have been reconstructed at Mahbas and Oum Dreyga. Awsard runway is under construction and expected to be finished by 30 June 2010. MINURSO is also carrying out the necessary work on the operational runway in Agwanit, east of the berm. Finally, the Mission has launched an environmental protection programme, in line with my efforts towards "greening the United Nations" and the promotion of sustainable energy.

66. Satellite phones have been issued to all team sites for backup purposes. The programme aimed at improving VHF radio communications coverage is still ongoing (S/2009/200, para. 25), with the installation of additional repeaters throughout the area of operations. The delay in the implementation of the programme was due to the lack of heavy equipment required to build the towers.

I. Conduct and discipline issues

67. I am pleased to announce that the prehistoric rock art that had been defaced by MINURSO personnel, principally in the locality of Devil Mountain (Lejuad), near Agwanit, has been restored. MINURSO contracted with a team of restoration professionals, including an archaeologist, to repair the damage that had been done with spray paint. The restoration was carried out in February. In addition to Devil Mountain, it included a clean-up of some of the graffiti damaging the Tifariti (Rekeiz) cave paintings and the numbers painted on the rock engravings near Bir Lahlou (Sluguilla).

V. African Union

68. The observer delegation of the African Union to MINURSO, led by its Senior Representative, Yilma Tadesse (Ethiopia), continued to cooperate with the Mission

during the period under review. I wish to reiterate my appreciation to the African Union for its contribution.

VI. Financial aspects

69. The General Assembly, by its resolution 63/300, appropriated the amount of $53.5 million for the maintenance of MINURSO for the period from 1 July 2009 to 30 June 2010. The proposed budget for MINURSO for the period from 1 July 2010 to 30 June 2011 in the amount of $58.2 million (exclusive of budgeted voluntary contributions in kind) has been submitted to the General Assembly for consideration during the second part of its resumed sixty-fourth session.

70. As at 28 February 2010, unpaid assessed contributions to the special account for MINURSO amounted to $58.4 million. As a result of the outstanding assessed contributions, the Organization has not been in a position since April 2002 to reimburse the Governments providing troops for troop costs in the amount of $2.3 million and contingent-owned equipment costs in the amount of $0.4 million.

71. The total outstanding assessed contributions for all peacekeeping operations at 28 February 2010 amounted to $3,782.7 million.

VII. Observations and recommendations

72. **I welcome the parties' continuing commitment to the process of negotiations as stated repeatedly to me and to my Personal Envoy, and their willingness to engage in the preparatory informal format that he has organized. However, the two informal meetings held in August 2009 and February 2010 produced no movement on the core substantive issues, and more work is needed before a fifth round of formal negotiations can be held.**

73. **After the second informal meeting, it became clear that neither party was prepared to accept the proposal of the other as the sole basis for future negotiations and that nothing in their relations or in the regional or international environment is likely to occur to change this in the foreseeable future. I recommend that the Security Council reiterate its call upon the parties, Morocco and the Frente Polisario, to negotiate in good faith and without any preconditions, under the auspices of my Personal Envoy, and to show the political will required to enter into substantive discussions and ensure the success of the negotiations, where possible by drawing on and developing the contents of their two proposals. Imagination and creativity will be needed if progress is to be made.**

74. **I remain concerned about the continuing violations of military agreement No. 1 by the parties. It is the responsibility of the parties to ensure that violations are not committed by their military forces, and I call on the parties to adhere fully to the provisions of the military agreements and to extend their full cooperation to MINURSO. I encourage the parties to establish direct cooperation and communication through a joint military verification mechanism to discuss allegations of violations and other issues of common interest.**

75. The human dimension of the conflict, including the plight of the Western Saharan refugees, is a growing concern. I urge the parties to confirm their agreement to the expansion of the family visit programme and to accelerate their consultations with UNHCR on its implementation, as this would enable a significantly higher number of individuals in Western Sahara and the refugee camps to participate. I also urge the parties to continue to work with UNHCR and MINURSO, as well as with my Personal Envoy, to explore other confidence-building measures and contacts. So as to ensure the optimal use of United Nations resources and in order to facilitate support for the confidence-building measure programme, I recommend that the Security Council formally recognize and increase the role and responsibilities of MINURSO in using its resources to support the confidence-building activities. Likewise, I urge the donor community to explore ways to make increased funding available to permit the maintenance and expansion of such activities. Finally, I urge that appropriate attention be paid to the issues of conducting a census of refugees and implementing a programme of individual interviews.

76. I am concerned by the situation with regard to human rights. Each side accuses the other of violations relating to Saharans in the Territory and in the refugee camps, and each denies the accusations made against it. I repeat once more my call to each party to remain engaged in continuous and constructive dialogue with the Office of the United Nations High Commissioner for Human Rights with a view to ensuring respect for the human rights of the people of Western Sahara in the Territory and in the refugee camps. The United Nations and the international community as a whole have an interest in advancing respect for international human rights standards and in ensuring that each party to the conflict understands its responsibilities in this regard.

77. I am pleased to note the decrease in the number of accidents due to landmines and explosive remnants of war in the region; however, the higher number of victims highlights the urgent need to increase coordination and operations. The mine action activities that are being undertaken by MINURSO, the Royal Moroccan Army and Landmine Action have proved invaluable and contribute directly and positively to the safety of the civilian population in the region, as well as of United Nations personnel. I also note with satisfaction the increased cooperation in information-sharing with the Royal Moroccan Army and Landmine Action. I encourage the parties to continue to work with MINURSO in order to ensure that this valuable work through the sharing of information can continue, while maintaining and increasing momentum on mine-clearance activities. To allow this vital work to continue, as well as for Landmine Action to provide an emergency response team for mine accident response east of the berm, additional resources for the United Nations mine-action effort in Western Sahara will be required. Such activities require an emphasis on prevention, and increased activities require additional funding beyond voluntary contributions. In that regard, MINURSO has made provision in its 2010/11 budget submission to accommodate the need for increased activities. I call upon donor countries to support the efforts of the parties in order to take advantage of the progress and investments made to date.

78. Given the existing circumstances on the ground and in the light of my Personal Envoy's continuing efforts, I believe that the presence of MINURSO remains indispensable for the maintenance of the ceasefire in Western Sahara.

Therefore, I recommend that the Security Council extend the mandate of MINURSO for a further period of one year, until 30 April 2011.

79. **In conclusion, I wish to thank Christopher Ross, my Personal Envoy, for his diligence in working with the parties towards a just, lasting and mutually acceptable political solution to the conflict in Western Sahara. I wish also to express my appreciation to my Special Representative, Hany Abdel-Aziz, who since his appointment on 5 November has been in charge of the Mission; to the Force Commander, Major General Jingmin Zhao (China); and to the women and men of MINURSO for the work they are doing, under difficult circumstances, to fulfil the Mission's mandate.**

Annex

United Nations Mission for the Referendum in Western Sahara

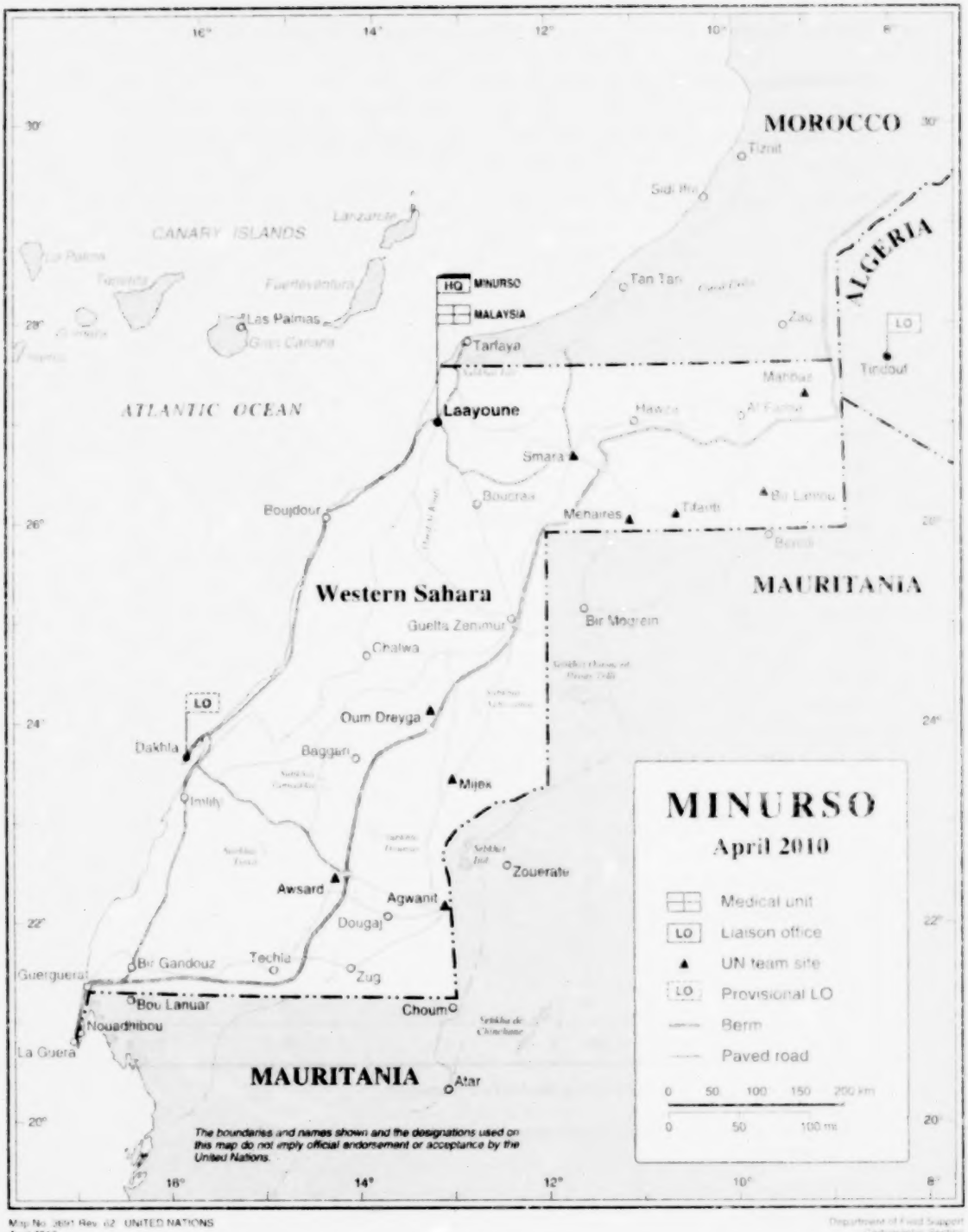
Contributions as at 20 March 2010

Country	*Military observers*[a]	*Troops*[a]	*Civilian police*[b]	*Total*
Argentina	3	0	0	3
Austria	2	0	0	2
Bangladesh	8	0	0	8
Brazil	10	0	0	10
China	10	0	0	10
Croatia	7	0	0	7
Djibouti	2	0	0	2
Egypt	20	0	2	22
El Salvador	6	0	3	9
France	13	0	0	13
Ghana	10	7	0	17
Greece	1	0	0	1
Guinea	5	0	0	5
Honduras	11	0	0	11
Hungary	7	0	0	7
Ireland	3	0	0	3
Italy	5	0	0	5
Jordan	2	0	1	3
Malaysia	10	20	0	30
Mongolia	4	0	0	4
Nigeria	8	0	0	8
Pakistan	11	0	0	11
Paraguay	5	0	0	5
Poland	1	0	0	1
Republic of Korea	2	0	0	2
Russian Federation	20	0	0	20
Sri Lanka	1	0	0	1
Uruguay	3	0	0	3
Yemen	10	0	0	10
Total	**200**	**27**	**6**	**233**[c]

[a] Authorized strength is 231, including the Force Commander.

[b] Authorized strength is 6.

[c] Actual strength on the ground, for military and civilian police, including the Force Commander.



Map No. 3691 Rev. 62 UNITED NATIONS
April 2010

Department of Field Support
Cartographic Section